

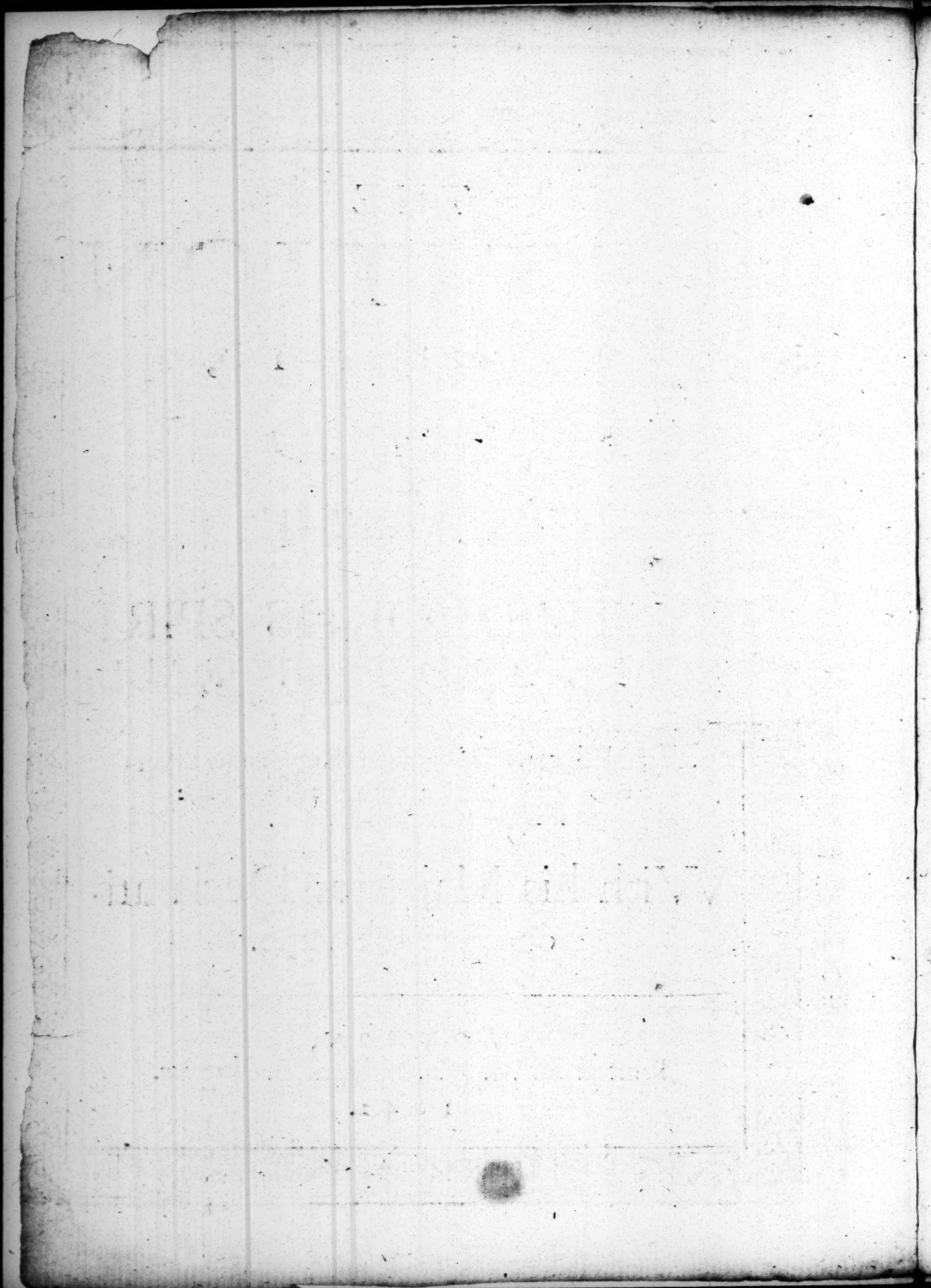
THE 32  
PETITION  
OF RIGHTS,  
EXHIBITED TO  
His Maiestie,

BY THE LORDS SPIRI-  
TVALL AND TEMPORALL,  
and Commons in PARLIAMENT  
assembled, concerning divers Rights and Liber-  
ties of the Subjects: with the Kings Maje-  
sties severall Answers thereunto.

With his Majesties Declarati-  
on upon the same.

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L O N D O N,  
Printed for *M. Walbancke* and *L. Chapman.*  
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# THE PETITION OF RIGHTS,

Exhibited to His Majestie, by the  
Lords Spirituall and Temporall, and  
Commons in Parliament assembled, &c.

*To the Kings most Excellent Maiestie.*



Vmbly shew unto Our  
Soveraigne Lord the KING, the  
Lords Spirituall, and Temporall  
Commons in Parliament assem-  
bled, That whereas it is declared  
& enacted by a Statute made in the  
time of the Reigne of King Edward  
the first, commonly called *Statutum  
de Tallagio non concedendo*, That no  
Tallage or Ayde shall bee laid or  
levyed by the King or his Heires  
in this Realme, without the good will and assent of the Archbi-  
shops, Bishops, Earles, Barons, Knights, Burgessees, and other the  
Freemen of the Commonalty of this Realme. And by Authority  
of Parliament holden in the five and twentieth yeare of the Reigne  
of King EDWARD the third, it is decared and enacted, That  
A 2 from



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from henceforth no person should be compelled to make any Loanes to the King against his will, because such Loanes were against reason, and the Franchise of the Land. And by other Lawes of this Realme it is provided, that none should be charged by any charge or Imposition, called a Benevolence, nor by such like charge, by which the Statutes before mentioned, and other the good Lawes and Statutes of this Realme, your Subiects have inherited this Freedom; That they should not bee compelled to contribute to any Taxe, Tallage, Ayde, or other like Charge, not set by common consent in Parliament.

Yet neverthelesse of late, divers Commissions directed to sundry Commissioners in severall Countie, with instructions, have issued; by meanes whereof your people have beene in divers places assembled, and required to lend certaine summes of money unto you Maiestie, and of them upon their refusall so to doe, have had an Oath administred unto them, not warrantable by the Lawes or Statutes of this Realme, and have beene constrained to become bound to make apparance, and give attendance before your Privie Councell, and in other places; and others of them have beene therefore Imprisoned, confined, and sundry other waies molested and disquieted. And divers other charges have beene levied upon your people in severall Countie, by Lord Lieutenants, Deputie-Lieutenants, Commissioners for Musters, Iustices of Peace, and others by Command of or Direction from your Maiestie, or your Privie Councell, against the Lawes and free Customes of the Realme.

And where also by the Statute called, *The great Charter of the Liberties of England*, It is declared and enacted, That no Freeman may be taken or imprisoned, or be disseised of his Free hold, or Liberties, or his free Customes, or be outlawed, or exiled, or in any manner destroyed, but by the lawfull Iudgement of his Peeres, or by the Law of the Land.

And in the eight and twentieth yeare of the reigne of KING Edward the third, it was declared and enacted by authority of Parliament, that no man of what estate and condition that hee bee, should be put out of his Land or Tenements nor taken nor imprisoned, nor disherited, nor put to death without being brought to answer by due Proesse of Law.

Never-



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Nevertheless against the tenour of the laid Statutes, and other the good Lawes and Statutes of your Realme, to that end provided, divers of your Subjects have of late bene imprisoned without any cause shewed: And when for their deliverance they were brought before your Iustices by your Maiesties Writs of *Habeas Corpus*, there to undergo and receive as the Court should order, and their keepers commanded to certifie the causes of their detainer, no cause was certied, but that they were detained by your Maiesties speciall command, signified by the Lords of your Privie Councell, and yet were returned back to severall prisons, without being charged with any thing to which they might be lawfully according to Law.

And whereas of late, great Companies of Souldiers and Marriners, have bene dispersed into divers Counties of the Realme, and the Inhabitants, against their wills, have bene compelled to receive them into their houses, and there to suffer them to sojourne against the Lawes and Customes of this Realme, and to the great grievance and vexation of the people.

And whereas also by authority of Parliament, in the five and twentieth yeare of the Reigne of King Edward the third, it is declared and enacted, that no man should bee foreiudged of life or limbe against the forme of the *Great Charter* and the Law of the Land; And by the said *Great Charter*, and other the Lawes and Statutes of this your Realme, no man ought to bee adiudged to death, but by the Lawes established in this your Realme, either by the Customes of the same Realme, or by Acts of Parliament. And whereas no offender, of what kinde soever, is exempted from the proceedings to bee used, and punishments to bee inflicted by the Lawes and Statutes of this your Realme: Nevertheless, of late time divers Commissions under your Maiesties great Seale have issued forth by which certaine persons have bene assigned and appointed Commissioners with power and authority to proceede within the land, according to the Iustice of Martiall Law, against such Souldiers or Marriners, or other dissolute persons joining with them, as should commit any murther, robbery, felony, mutiny, or other outrage, or misdemeanour whatsoever, and by such summary course and order, as is agreeable to Martiall Law, and as is used in Armies in time of Warre, to proceede to the tryall and condemnation of such offenders, and them to cause to be executed and put to death according to the Law Martiall.

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By pretext whereof some of your Maiesties Subiects have beene by some of the said Commissioners put to death, when and where, if by the Lawes and Statutes of the Land they had deserved death, by the same Lawes and Statutes also they might, and by no other ought to have beene iudged and executed.

And also sundry grievous offenders by colour thereof, claiming an exemption have escaped the punishments due to them by the Lawes and Statutes of this your Realme, by reason that divers of your Officers and Ministers of Iustice have uniuersally refused or forbourned to proceede against such offenders, according to the same Lawes and Statutes, upon pretence that the said offenders were punishable onely by Martiall law, and by authority of such Commissioners as aforesaid. Which Commissioners and all other of like nature are wholly and directly contrary to the said Lawes and Statutes of this your Realme.

They doe therefore humbly pray you most Excellent Maiestie, that no man hereafter bee compelled to make or yeeld any Gift, or Loane, Benevolence, Taxe, or such like Charge, without common consent by Act of Parliament. And that none bee called to make answer, or to take such Oath, or to give attendance, or be confined, or otherwise molested, or disquieted, concerning the same, or for refusall thereof. And that no Freeman, in any such manner as is before mentioned, bee imprisoned or detained. And that your Maiestie would be pleased to remove the said Souldiers and Marriners, and that your people may not bee so burthened in time to come. And that the foresaid Commissioners for proceeding by Martiall Law, may be revoked, and annulled. And that hereafter no Commissions of like nature may issu forth to any person or persons whatsoever, to be executed, as aforesaid, least by colour of them any of your Maiesties Subiects be destroyed, or put to death, contrary to the Lawes and Franchise of the Land.

All which they most humbly pray, of your most Excellent Maiestie, and their Rights and Liberties, according to the Lawes and Statutes of this Realme. And that your Maiestie would also vouchsafe to declare the Awards, doings and proceedings, to the prejudice of your people, in any of the premises, shall not bee drawne hereafter into consequence or example. And that your Maiestie would



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would be also gratically pleased, for the further comfort and safety of your people, to declare your Royall will and pleasure, that in the things aforesaid, all your Officers and Ministers shall serve you, according to the Lawes and Statutes of this Realme, as they tender the Honour of your Maiesty, and the prosperitie of this Kingdom.

*Which Petition being read, the Kings answer was thus delivered un'o it.*

**T**He King willeth, that Right be done, according to the Lawes and Customes of this Realme; And, that the Statutes bee put in due execution, that his Subiects may have no cause to complaine of any wrong, or oppositions, contrary to their iust rights and Liberties: To the preservation whereof, He holds Himselfe in conscience aswell obliged, as of His Prerogative.

*But this Answer not giving satisfaction, the King was againe Petitioned unto, that Hee would give a full and satisfactory Answer to their Petition in full Parliament.*

Whereupon the King in Person, made this second Answer.

My Lords and Gentlemen,

**I***He answer I have already given you, was made with so good deliberation, and approved by the Iudgements of so many wisemen, that I could not have imagined, but that it should have given you full satisfaction, but to avoid all ambiguous interpretations, and to shew you that there is no doublesse in my meaning, I am willing to please you in words, as well as in substance, Read your Petition, and you shall have an answer, that I am sure will please you.*

And then causing the Petition to be distinctly read by the Clerk of the Crowne. The Clerk of the Parliamenr read the Kings Answer thereto in these words.

*Soit droit fait come est desire,* Let right be done as is desired.

Which being done, The King in person said thus.

**T***His I am sure is full, yet no more then I granted you in my first Answer: for the meaning of that was, to confirm all your Liberties, Knowing according to your owne protestations, that you neither meane, nor can hurt my Prerogative: And I assure you my Maxime is, That the Peoples Liberty strengthens the Kings Prerogative, and that the Kings Prerogative, is to defend the Peoples Liberties.*

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Ye see now, how ready I have shewed my selfe to satisfie your Demands, so that I have done my part: Wherefore if this Parliament have not a happy conclusion, the sinne is yours, I am free of it.

And on the last day of the Sessio[n], His Majesties Speech to both Houses before His assent to the Bills, was this,

My Lords and Gentlemen,

**I**T may seeme strange that I come so suddenly to end this Sessio[n], therefore before I give my assent to the Bills, I will tell you the Cause, though I must avow that I owe an account of my Actions to none but God alone. It is knowne to every one, that a while agoe the House of Commons gave mee a Remonstrance how acceptable every man may judge, and for the merit of it, I will not call that in question, for I am sure no wise man can justifie it.

Now since I am certainly informed that a second Remonstrance is preparing for me to take away my profit of Tonnage & Poundage (one of the chiefe mainte[nances of the Crowne) by alleadging that I have given away my right thereof, by my Answer to your Petition:

This is prejudiciall unto me, that I am forced to end this Sessio[n] some few howers before I meant it, being willing not to receive any more Remonstrances, to which I must give a harsh answer.

And since I see that even the House of Commons begins already to make false constructions of what I granted in your Petition lest it be worse interpreted in the Countrey, I will now make a Declaration concerning the true intent thereof.

The profession of both Houses in the time of handling this Petition, was no waies to trench upon my Prerogative saying, They had neither intention nor power to hurt it.

Therefore it must needs be conceived, that I have granted no new, but onely confirmed the ancient Liberties of my Subjects: yet to shew the clearenesse of my intentions, that I neither repent nor meane to recede from any thing I have promised you, I doe here declare, that those things which have beene done, whereby men had some cause to suspect the Liberty of the Subjects to be trencht upon (which indeede was the first and true ground of the Petition) shall not hereafter be drawne into example for your prejudice: And in time to come (in the words of a King) you shall not have the like cause to complaine.

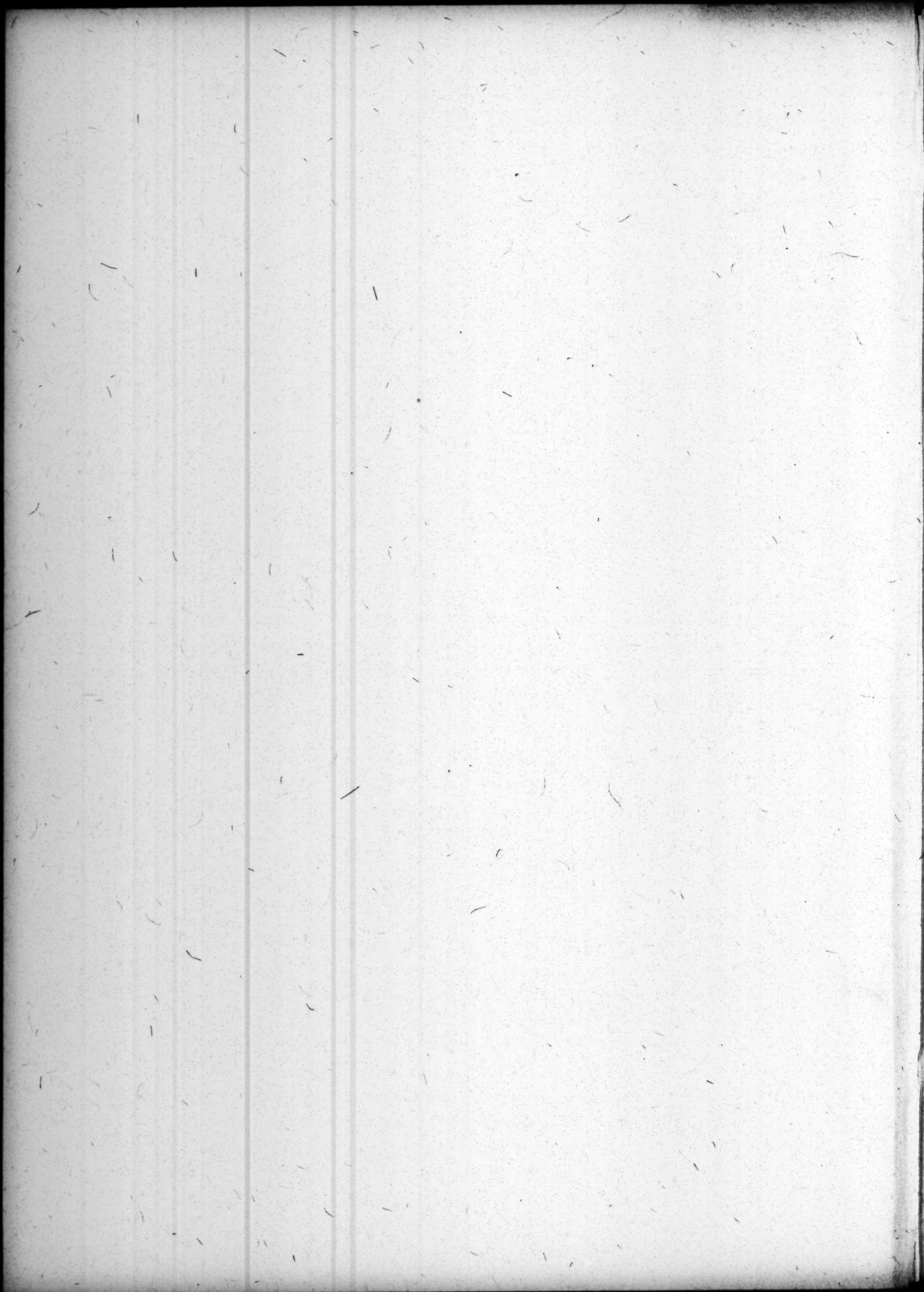
But as for Tonnage and Poundage, it is a thing I cannot want, and was never intended by you to aske, never meant (I am sure) by me to grant.

To conclude, I command you all that are heere, to take notice what I have spoken at this time, to be the true intent and meaning of what I granted you in your Petition. But especially you my Lords, the Judges for to you onely under me belongs the interpretation of Lawes; for none of the House of Parliament, joyntly or separte, (what new doctrine soever may be raised) have any power either to make or declare a Law without my consent.

FINIS.









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